

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 EDWARD HENDRIX,)	No. C 06-5328 SBA (PR)
4 Petitioner,)	<u>ORDER DIRECTING</u>
5 v.)	<u>PAYMENT OF FILING FEE</u>
6 RICHARD RIMMER,)	<u>OR FILING OF IN FORMA</u>
7 Respondent.)	<u>PAUPERIS APPLICATION</u>

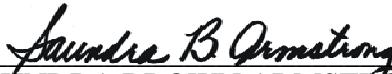
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 10 Petitioner has filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C.
 11 § 2254. However, Petitioner has not paid the requisite \$5.00 filing fee or filed an application for
 12 leave to proceed in forma pauperis (hereinafter "IFP"). The Court cannot conduct an initial
 13 review of this matter until Petitioner has either paid the filing fee or completed an IFP
 14 application. See 28 U.S.C. § 1915(a) (a party is permitted to file a civil action in federal court
 15 without prepayment of fees or security if he makes affidavit that he is unable to pay such fees or
 16 give security therefor).

17 Accordingly, Petitioner shall pay the requisite \$5.00 filing fee in this action no later than
 18 **thirty (30) days** from the date of this Order. He shall include with his payment a clear indication
 19 that it is for the above-referenced case number C 06-5328 SBA (PR). In the event that Petitioner
 20 is unable to pay the filing fee, he shall submit an IFP application, trust account statement and
 21 certificate of funds no later than **thirty (30) days** from the date of this Order. Failure to pay the
 22 filing fee or file the requisite documents shall result in dismissal of this action.

23 The Clerk of the Court shall send Petitioner a blank prisoner IFP application form along
 24 with his copy of this Order.

25 IT IS SO ORDERED.

26 DATED: 8/2/07


 27 SAUNDRA BROWN ARMSTRONG
 United States District Judge

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA

5 EDWARD HENDRIX,

6 Plaintiff,

7 v.

8 RICHARD RIMMER et al,

9 Defendant.

Case Number: CV06-05328 SBA

10 **CERTIFICATE OF SERVICE**

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on August 3, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
16 receptacle located in the Clerk's office.

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Edward Hendrix P43877
827 Pine Street, #33
W. Sacramento, CA 95691

Dated: August 3, 2007

Richard W. Wiking, Clerk
By: LISA R CLARK, Deputy Clerk